

ADVISORY OPINION 93-001

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

January 25, 1993

Mr. W. Grady Stumbo, Chairman  
Kentucky Democratic Party  
P.O. Box 694  
Frankfort, Kentucky 40602

Re: Advisory Opinion Request

Dear Chairman Stumbo:

Thank you for contacting the Registry.

A restatement of your question would be as follows:

In Kentucky, how much money or other items of value may a permanent committee ("PAC") contribute per anum to a political party executive committee?

Your question correctly notes that the first draft of the Registry's "Guide to Campaign Finance, 1993 Edition" states that a PAC may contribute unlimited amounts to a political party. Your letter also correctly anticipates the Registry's position on this point. The Registry's position is that a PAC may only give \$2,500 to a state executive committee of a political party.

As you note, KRS 121.150(11) states:

No person shall contribute more than two thousand five hundred dollars (\$2,500) to the state executive committee of a political party and its subdivisions and affiliates in any one year. ... Id. (Emphasis added.)

Since KRS Chapter 121 does not define the term "person," one must look to the definition of "person" given in KRS 446.010(26) for guidance. This statute states:

"Person" may extend and be applied to bodies politic and corporate, societies, communities, the public generally, individuals, partnerships and joint stock companies[.] Id. (Emphasis added.)

In relation to all sections of KRS Chapters 121 and 121A, the Registry can apply this definition to the word "person." Accordingly, the term "person" in KRS 121.150(11) means a body politic or a society in addition to its regular meaning, human being. The definition of the "committee," including

"permanent committee," in KRS 121.015(3) is in harmony with this analysis. Therefore, in Kentucky, a PAC may only give \$2,500 per anum to a state executive committee.

This opinion is based upon the question asked by your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull  
General Counsel

TES/dt